

UNITED STATES COURT OF APPEALS
FOR THE SECOND CIRCUIT

SUMMARY ORDER

THIS SUMMARY ORDER WILL NOT BE PUBLISHED IN THE FEDERAL REPORTER AND MAY NOT BE CITED AS PRECEDENTIAL AUTHORITY TO THIS OR ANY OTHER COURT, BUT MAY BE CALLED TO THE ATTENTION OF THIS OR ANY OTHER COURT IN A SUBSEQUENT STAGE OF THIS CASE, IN A RELATED CASE, OR IN ANY CASE FOR PURPOSES OF COLLATERAL ESTOPPEL OR RES JUDICATA.

At a stated term of the United States Court of Appeals for the Second Circuit, held at the Daniel Patrick Moynihan United States Courthouse, at 500 Pearl Street, in the City of New York, on the 12th day of September, two thousand and six.

PRESENT:

JOSEPH M. McLAUGHLIN

JOSÉ A. CABRANES

ROBERT D. SACK

Circuit Judges.

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CURTIS EBON,

Plaintiff-Appellant,

v.

No. 05-4504-pr

HOWARD CLEGG, I/O, Supv., BETH FELCHER, I/O,
counselor, R. MEULEMANS, I/O, CO, Lt.

Defendants-Appellees,

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APPEARING FOR APPELLANT: Curtis Ebron, *pro se*, Uncasville, CT

APPEARING FOR APPELLEES: Michael J. Lanoue, Assistant Attorney General,
Connecticut Attorney General's Office, Hartford, CT

Appeal from a judgment of the United States District Court for the District of Connecticut
(Alvin W. Thompson, *Judge*).

**UPON CONSIDERATION WHEREOF, IT IS HEREBY ORDERED, ADJUDGED,
AND DECREED** that the judgment of the District Court is hereby **AFFIRMED**.

Plaintiff-appellant Curtis Ebron appeals *pro se* from a ruling and order of the District Court for the District of Connecticut (Alvin W. Thompson, *Judge*) granting defendants' motion to dismiss plaintiff's complaint pursuant to Federal Rule of Civil Procedure 12(b)(6). See *Ebron v. Clegg*, No. 3:03-CV-1731 (D. Conn. July 29, 2005). Plaintiff initially filed the instant action pursuant to 42 U.S.C. § 1983 alleging "an on-going pattern of racism, discrimination, retaliation[,] harrassment [*sic*] and hate crimes" by personnel at the Brooklyn Correctional Institute in Brooklyn, Connecticut.

Plaintiff's specific allegations in District Court were that (1) Defendant Felcher used racially derogatory language when speaking to plaintiff; issued plaintiff a disciplinary report; and confiscated plaintiff's mail to the Connecticut Claims Commissioner; (2) Defendant Meulmans stated at a disciplinary hearing that he would not take the word of an inmate over that of correctional facility staff; (3) Defendant Clegg received a grievance filed by plaintiff in which plaintiff alleged discrimination by defendant Felcher. The District Court liberally construed plaintiff's claims as alleging racial discrimination, denial of access to the courts, and cruel and unusual punishment in violation of the Eighth Amendment.

Upon a review of the record, and substantially for the reasons set forth in Judge Thompson's careful and comprehensive ruling and order, we conclude that the District Court did not err in dismissing plaintiff's claims.

Accordingly, we **AFFIRM** the judgment of the District Court.

FOR THE COURT,

Roseann B. MacKechnie, Clerk of Court

By : Richard Alcantara, Deputy Clerk